THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 12056 of 2007

Dated 18th June 2007

Between:

M.Guravaiah

... Petitioner

and

The Deputy Transport Commissioner,
Road Transport Authority, Labbipet, Vijayawada
& others.

... Respondents

THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY
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O R D E R:

The petitioner is the owner-cum-driver of an auto rickshaw, being operated in Vijayawada city. The petitioner states that the Assistant Commissioner or Police (traffic), Vijayawada City, under the instructions of the Commissioner of Police of that place, is insisting on identification of the owners of the auto rickshaws in the city. The petitioner challenges the same as illegal, arbitrary and violative of Articles 14 and 21 of the Constitution of India.

Sri V.Raghu, learned counsel for the petitioner, submits that apart from the relevant entries in the RC books, the respondents have already issued Identification Certificates, to the owners of auto rickshaws, together with a separate serial number, and the said particulars are being displayed on the concerned auto rickshaws. He

contends that the steps, being insisted by the respondents, are not traceable to any provisions of the Motor Vehicles Act, and the Rules made thereunder, and the same would cause hardship to the owners of the auto rickshaws.

Learned Government Pleader for Transport, on the other hand, submits that though certain particulars have been collected from the drivers of the auto rickshaws, as well as the owners, in the recent past, it emerged that quite good number of drivers of auto rickshaws have resorted to heinous crimes *vis-à-vis* the passengers, particularly women passengers, and on account of lack of latest particulars of the owners of the auto rickshaws, the investigation could not be proceeded with. He submits that the offenders have fled away from the place and the ownership particulars are inadequate.

In the recent past, several instances of the auto rickshaw drivers committing crimes, against innocent passengers in Vijayawada city, have come to light. While in some cases, the drivers are the owners of auto rickshaws, by themselves, in other cases, the owners are different. It is true that the Transport Offices, where the auto rickshaws are registered, would have the particulars of ownership. However, due to passage of time and shifting of residence by the registered owners, it becomes naturally difficult to trace the persons. For all practical purposes, what is being insisted upon by the respondents is nothing but furnishing of the true and latest particulars of the ownership, which are supposed to be contained in the RC book, as well as the records of the Transport Department. No prejudice can be said to have been caused to the petitioner, if the latest particulars of the ownership are obtained and sought to be displayed, on the auto rickshaws. The respondents are conferred with adequate powers, to ensure proper safety and security to the travelling public. This court does not find any

basis to grant any relief to the petitioner.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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18th June 2007

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